

# Wiley and the European Law Journal

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It is, we believe, unprecedented that both Editors-in-Chief and the entire Editorial and Scientific Advisory Board of a learned journal should resign en masse in protest at the high-handed behavior of the commercial publisher. But that is what has happened at the European Law Journal in their dispute with their publishers Wiley Publishing.

The statement of the Editors in Chief of the European Law Journal is [appended below](#).

Between the two of us, Editors in Chief of ICON (the International Journal of Constitutional Law published by OUP) we have clocked dozens of years serving as Editors and members of Editorial and Advisory Boards of at least two dozen legal journals. We can safely say that never before have we seen even remotely the like of this. By 'this' we do not just mean the mass resignation, but the entire approach of Wiley to the relationship between a commercial publisher and the academics – the editors, editorial boards and authors – who actually make the journal not only an academic and intellectual success, but also give it monetary value for its publisher. The journal generates hundreds of thousands of euros in annual revenue, and Wiley itself estimated its monetary value in the millions. You would expect some respect for the value of the academic world which generate these profits for them, would you not?

In a very productive and amicable relationship with its original publishers, Blackwell Publishing, the European Law Journal (ELJ) had carved a special and distinguished place in European Law scholarship, complementing with its contextual approach the more doctrinal distinguished journals in the field. Some years ago, however, Wiley bought the ELJ from Blackwell. As mentioned in the Statement by the Editors of the ELJ, the Journal was thrown into crisis when Wiley attempted unilaterally, and in a totally non-transparent process, to appoint new Editors who themselves were given misleading information about the process. That crisis was overcome when an amicable solution was sought and found, and the current editors were appointed with the approval of the Board and on the understanding that this procedure would be the template for the future. The Journal was back on the mend thanks to the extraordinary work of the current editors.

But in the last few months when the new contract was presented, Wiley were back to their old ways. They rejected in toto a compromise proposal on a range of issues and insisted on their right to hire and fire the editors at their entire discretion. They owned the Journal, it was their property and they would do as they wished with it.

The Editors and the Board, though disappointed by the rejection by Wiley of a whole range of issues which would operate in the interest of European law scholarship, were not excessive in setting their one line in the sand: Academic appointments to

the Journal should be done by mutual consent. But even this basic principle was rejected by Wiley.

At issue here is the very integrity and independence of the scholarly endeavor in the face of powerful commercial interests.

We want to believe that no self-respecting scholar will allow himself or herself to be used in any way by Wiley to defeat the principled stand taken by the Editors and Boards of the ELJ. It is we, scholars of European Law, who actually give commercial value to such a journal by submitting and publishing our work in its pages. We should not be complicit in undermining the most basic values of the scholarly world.

The Board have announced their intention to continue the outstanding and unique service to the scholarly community for which ELJ stood, by establishing in short order a new learned journal with a different publisher to continue the unique voice which the ELJ provided. They deserve our full support.

